

**REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL**  
**June 21, 2004**

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday, **June 21, 2004**, at 7:03 p.m., in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor, Chairman; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Council Member District No. 8; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. Milton Farley, Council Member District No. 1, was excused from this meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

*During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.*

Chairman Rozier called the meeting to order and asked for approval of minutes from Public Hearings held May 17, 2004, on Bills Numbered 04-12, 04-13, 04-14, 04-15, 04-16, 04-17, 04-18, 04-19, 04-20, 04-21, 04-22, 04-23 and 04-24, and minutes from the Regular Council Meeting held May 17, 2004.

**APPROVAL OF MINUTES**

It was moved by Council Member Fish and seconded by Council Member Crosby to approve the minutes as presented. The motion was passed by unanimous voice vote of Council.

**PUBLIC DISCUSSION – None**

**TRIDENT WORKFORCE INVESTMENT BOARD, RE: UPDATE**

Ms. Jean McCrary (Berkeley County Adult Education), Trident Workforce Investment Board member, stated she was present this night, along with two other board members, Ms. Brenda England (Area Director for the Employment Security Commission), and Mr. Butch Clift (Apprenticeship Coordinator, Carolinas AGC, and resident of Berkeley County). The Berkeley One Stop is located in the old Berkeley Elementary School building. This year, 241 individuals were served, with 82 of those individuals gaining employment at an average salary of \$9.00 per hour. These are individuals overcoming many barriers to gain employment. The employment of these

people places approximately \$1,500,000 back into Berkeley County. This dollar amount was obtained by multiplying 82 employed individuals by \$9.00 per hour, and multiplying that total by 2,080 hours (40 hours times 52 weeks). In addition to the Berkeley One Stop in Moncks Corner, there are three other locations: Trident One Stop (North Charleston), Dorchester One Stop (Jedburg), and Lockwood One Stop (Downtown Charleston). All employers in Berkeley County are encouraged to participate in incumbent worker training. Employers only need to fill out a simple application to begin the process of securing grant funds for the training of employees. An example of funds awarded: Van Guard Rental Corporation received \$216,221 to train 550 employees. Ms. McCrary made a request for Council to spread the word about incumbent worker training to other businesses in Berkeley County.

Ms. McCrary continued by stating there were a number of employers utilizing the Trident One Stop System. Services offered include pre-employment testing and pre-employment training.

Mr. Butch Clift stated there was one board seat available on the Trident Workforce Investment Board. The board is seeking someone from the private sector in Berkeley County, and Council's assistance is requested in filling that vacancy.

Council Member Pinckney asked if any surveys were performed to establish and fulfill the needs of the workforce for the Santee Cooper expansion at the Cross Generating Station.

Ms. McCrary responded that Adult Education has been working with the staff at the generating station. Santee Cooper planned to hire internationally as well as locally. Pre-employment testing was performed, and there were some concerns about the skill levels of individuals applying for positions. Courses have been offered at both the generating station and the Berkeley Adult Education Center to assist individuals in improving their skills for hire. The partnership with Santee Cooper started last year with a teacher on-site. Santee Cooper is still in the hiring process.

Council accepted Ms. McCrary's presentation as information. No action was required .

## **EXECUTIVE SESSION**

Chairman Rozier stated an Executive Session was necessary to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

It was moved by Council Member Spooner and seconded by Council Member Crosby to enter into Executive Session for the reasons stated. The motion was passed by unanimous voice vote of Council.

Council entered into Executive Session at 7:11 p.m., and returned to Regular Session at 7:32 p.m.

Mr. D. Mark Stokes, Berkeley County Attorney, reported that Council entered into Executive Session for the reasons stated in the motion. No formal action was taken.

**THIRD READING:**

**“BILL NO. 04-25, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #180-00-01-048.”**  
*(Berkeley Properties, LLC)*

It was moved by Council Member Spooner and seconded by Council Member Crosby to approve **Bill No. 04-25** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. *(A copy of Ordinance No. 04-06-29 is attached to these minutes.)*

**“BILL NO. 04-26, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #161-15-00-036.”**  
*(John Jackson)*

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to approve **Bill No. 04-26** for Third and Final Reading. The motion was passed by majority voice vote of Council. Council Member Mims recused from voting. *(A copy of Ordinance No. 04-06-30 is attached to these minutes.)*

**“BILL NO. 04-27, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #180-00-03-062.”**  
*(David Driggers)*

It was moved by Council Member Spooner and seconded by Council Member Steve Davis to approve **Bill No. 04-27** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. *(A copy of Ordinance No. 04-06-31 is attached to these minutes.)*

**“BILL NO. 04-28, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #180-00-03-061.”**  
*(Raymond Lodge)*

It was moved by Council Member Spooner and seconded by Council Member Steve Davis to approve Bill No. 04-28 for Third and Final Reading. The motion was passed by majority voice vote of Council. Council Member Fish recused from voting. (A copy of Ordinance No. 04-06-32 is attached to these minutes.)

**“BILL NO. 04-29, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #087-00-04-023.”**  
*(Greg Hood)*

It was moved by Council Member Spooner and seconded by Council Member Mims to approve Bill No. 04-29 for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-33 is attached to these minutes.)

**“BILL NO. 04-30, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #123-00-03-054.”**  
*(David Rogers)*

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to approve Bill No. 04-30 for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-34 is attached to these minutes.)

**“BILL NO. 04-31, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #180-00-01-004.”**  
*(Suzie Brill)*

It was moved by Council Member Mims and seconded by Council Member Spooner to approve Bill No. 04-31 for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-35 is attached to these minutes.)

**“BILL NO. 04-32, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #239-00-00-052.”**  
*(Ligure Ellington, Jr.)*

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to approve **Bill No. 04-32** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-36 is attached to these minutes.)

**“BILL NO. 04-33, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #057-00-01-056.”**  
(Barbara Starks)

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to approve **Bill No. 04-33** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-37 is attached to these minutes.)

**“BILL NO. 04-34, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #271-00-02-035.”**  
(Frank Kinlaw)

Mr. Robbie Metts, Deputy Supervisor, stated that a correction had been made to the acreage of Bill No. 04-34 to reflect “**14.5** acres portion of 21.5 acres total” versus “**10.01** acres portion of 21.5”.

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to approve **Bill No. 04-34**, as corrected, for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-38 is attached to these minutes.)

**“BILL NO. 04-35, AN ORDINANCE PROVIDING FOR THE ADOPTION OF FISCAL YEAR 2004-2005 (BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005) BUDGETS FOR THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY SOLID WASTE FUND; ESTABLISHING OPERATIONAL, DEBT SERVICE, AND CAPITAL IMPROVEMENT BUDGETS FOR WATER AND SEWER, AND TO PROVIDE FOR THE EXPENDITURES OF REVENUES COMING INTO THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY AND THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY SOLID WASTE FUND DURING THE FISCAL YEAR, AND TO AMEND THE CODE OF ORDINANCES, BERKELEY COUNTY, SOUTH CAROLINA, SETTING RATES, CHARGES AND PENALTIES FOR WATER AND SEWER AND SOLID WASTE SERVICE BY THE BERKELEY COUNTY WATER AND SANITATION AUTHORITY.”**

Council Member Fish asked if a change to the fee schedule was made for residents hauling waste across scales at the Landfill.

Chairman Rozier responded that it was not reflected in the Water and Sanitation budget, because it is a policy that would need to be revised. The County is reviewing this policy at the present time.

It was moved by Council Member Steve Davis and seconded by Council Member Charles Davis to approve **Bill No. 04-35** for Third and Final Reading. The motion was passed by majority voice vote of Council. Council Member Crosby voted "Nay". (A copy of Ordinance No. 04-06-39 is attached to these minutes.)

**"BILL NO. 04-36, AN ORDINANCE PROVIDING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, FOR BERKELEY COUNTY; TO PROVIDE FOR LEVY OF TAXES ON ALL TAXABLE PROPERTY IN BERKELEY COUNTY FOR ALL COUNTY PURPOSES; TO PROVIDE FOR THE EXPENDITURES OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY FOR THE FISCAL YEAR."**

Main Motion:

It was moved by Council Member Fish and seconded by Council Member Steve Davis to approve **Bill No. 04-36** for Third and Final Reading.

In discussion, Council Member Spooner referred to the change made to Bill No. 04-36, SECTION XI, and stated her preference with the new wording, which would read, "Final audit reports shall be made available for public inspection. All departments, divisions and outside agencies which accept funds, in whole or in part, appropriated by Berkeley County Council through this budget shall cooperate fully as may be deemed necessary by the auditor conducting any audit hereunder."

Council Member Spooner continued by asking for clarification of SECTION XX.

Chairman Rozier responded that this section pertained to final acceptance of grants. Application could certainly be made and often is made before it is brought to Council for acceptance. The way this section was originally written, it did not allow an application without coming before Council first. This could create a problem causing the County not to receive grants, because sometimes action needs to be taken on short notice to apply for a grant. A grant will not be accepted without it coming before Council first.

Council Member Spooner referred to the change made to SECTION XXI, and stated her concurrence with the new wording, which reads, "No County funds shall be expended for legal counsel by any department, board, commission, or elected official unless prior approval is obtained from the County Attorney. No contracts or agreements executed by a department head, board or commission member, or an elected official shall

bind Berkeley County unless prior approval is given by County Council or unless ratified by act of County Council.”

Council Member Steve Davis stated his concern with SECTION XIX, which reads in part, “without prior approval of the County Supervisor or his designee.” He recommended that “County Council” be included in that passage.

Chairman Rozier recommended replacing “County Supervisor or his designee” with “County Council”.

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to amend the main motion by substituting “County Supervisor or his designee” with “County Council” in SECTION XIX of Bill No. 04-36. The motion to amend was passed by unanimous voice vote of Council.

The main motion, as amended to approve **Bill No. 04-36** for Third and Final Reading, was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-40 is attached to these minutes.)

“**BILL NO. 04-37**, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, FOR THE **DEVON FOREST SPECIAL TAX DISTRICT OPERATIONAL BUDGET**; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE DEVON FOREST SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”

It was moved by Council Member Fish and seconded by Council Member Spooner to approve **Bill No. 04-37** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-41 is attached to these minutes.)

“**BILL NO. 04-38**, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, FOR THE **PIMLICO SPECIAL TAX DISTRICT OPERATIONAL BUDGET**; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE PIMLICO SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”

It was moved by Council Member Spooner and seconded by Council Member Steve Davis to approve **Bill No. 04-38** for Third and Final Reading. This motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-42 is attached to these minutes.)

“**BILL NO. 04-39**, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, FOR THE **SANGAREE SPECIAL TAX DISTRICT OPERATIONAL BUDGET**; AND TO PROVIDE FOR

THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SANGAREE SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”

It was moved by Council Member Fish and seconded by Council Member Spooner to approve **Bill No. 04-39** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-43 is attached to these minutes.)

“**BILL NO. 04-40**, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, FOR THE **TALL PINES SPECIAL TAX DISTRICT OPERATIONAL BUDGET**; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE TALL PINES SPECIAL TAX DISTRICT DURING THE FISCAL YEAR.”

It was moved by Council Member Fish and seconded by Council Member Pinckney to approve **Bill No. 04-40** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-44 is attached to these minutes.)

“**BILL NO. 04-41**, AN ORDINANCE PROVIDING FOR THE FISCAL YEAR BEGINNING JULY 1, 2004, AND ENDING JUNE 30, 2005, FOR THE **OPERATIONAL BUDGET OF THE BERKELEY COUNTY SPECIAL FIRE TAX DISTRICT** WITHIN THE UNINCORPORATED PORTIONS OF BERKELEY COUNTY; AND TO PROVIDE FOR THE EXPENDITURES OF THE REVENUES RECEIVED BY THE SPECIAL FIRE TAX DISTRICT DURING THE FISCAL YEAR.”

It was moved by Council Member Fish and seconded by Council Member Steve Davis to approve **Bill No. 04-41** for Third and Final Reading. The motion was passed by unanimous voice vote of Council. (A copy of Ordinance No. 04-06-45 is attached to these minutes.)

*Berkeley County Council Rules allow all bills to be given Second Reading by one motion as a collective group. Any member may object to a particular bill, and it shall be separated from the collective group and handled by a separate motion.*

#### **SECOND READING:**

“**BILL NO. 04-43**, AN ORDINANCE TO ESTABLISH THE **RULES AND REGULATIONS FOR THE KEEPING OF PETS AND OTHER ANIMALS IN BERKELEY COUNTY**, TO PROVIDE FOR THE TAKING UP AND IMPOUNDING OF PETS AND OTHER ANIMALS IN CERTAIN CASES; TO PROVIDE FOR THE ENFORCEMENT OF THE PROVISIONS OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATIONS THEREOF; AND TO AMEND ORDINANCE NO. 93-11-26 AND ORDINANCE NO. 98-3-21.”



It was moved by Council Member Spooner and seconded by Council Member Steve Davis to approve **Bill No. 04-43** for Second Reading. The motion was passed by unanimous voice vote of Council.

**“BILL NO. 04-44, AN ORDINANCE AUTHORIZING THE SALE OF A PARTICULAR PIECE OF LAND OWNED BY BERKELEY COUNTY, MORE PARTICULARLY DESCRIBED AS TMS #142-07-06-026, TO THE BERKELEY COUNTY RESCUE SQUAD AND AUTHORIZING THE BERKELEY COUNTY SUPERVISOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TRANSFER OF SAID LAND.”**

It was moved by Council Member Crosby and seconded by Council Member Mims to approve **Bill No. 04-44** for Second Reading. The motion was passed by unanimous voice vote of Council.

**“BILL NO. 04-45, AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CODE OF BERKELEY COUNTY, SOUTH CAROLINA, PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE; AND OTHER MATTERS RELATED THERETO.”**

It was moved by Council Member Fish and seconded by Council Member Mims to approve **Bill No. 04-45** for Second Reading. The motion was passed by unanimous voice vote of Council.

#### **FIRST READING:**

Chairman Rozier stated there were eight bills for First Reading. Bills for First Reading are not discussed or voted upon. The bills are read into the record by title only and, thereafter, sent to the proper Committee for discussion.

**“BILL NO. 04-46, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #032-00-03-007.”**  
*(Anna Bell Frazier)*

**“BILL NO. 04-47, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #244-05-01-022.”**  
*(Marvetta Perry-Grant for Elaine Myers)*

**“BILL NO. 04-48, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #248-00-02-004.”**  
*(Rutha L. Kinlock)*

**“BILL NO. 04-49, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #271-00-02-004.”**  
*(Peter Washington)*

**“BILL NO. 04-50, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #144-00-02-025.”**  
*(Ebony Lloyd Simmons for Heirs of Clara Johnson)*

**“BILL NO. 04-51, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #222-00-00-119.”**  
*(Tyson Otts)*

**“BILL NO. 04-52, AN ORDINANCE AUTHORIZING A ONE-YEAR POSTPONEMENT OF THE IMPLEMENTATION OF REVISED VALUES RESULTING FROM THE EQUALIZATION PROGRAM (REASSESSMENT), AS PROVIDED IN SECTION 12-43-217, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.”**

**“BILL NO. 04-53, AN ORDINANCE AMENDING ORDINANCE NO. 87-6-9, WHICH PROVIDED FOR THE CREATION OF THE BERKELEY COUNTY ACCOMMODATIONS TAX ADVISORY COMMITTEE, TO MODIFY THE COMPOSITION OF AND APPOINTMENT TO THE COMMITTEE AND TO REPEAL ORDINANCE NO. 01-9-44 IN ITS ENTIRETY.”**

#### **RESOLUTIONS:**

**“RESOLUTION APPROVING ASSIGNMENT OF EXISTING FEE-IN-LIEU OF TAXES ARRANGEMENT BY BAYER CORPORATION AFFILIATES.”**

It was moved by Council Member Crosby and seconded by Council Member Fish to approve this Resolution. The motion was passed by unanimous voice vote of Council.  
*(A copy of Resolution No. 04-18 is attached to these minutes.)*

**“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2003-2004 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”**

It was moved by Council Member Crosby and seconded by Council Member Fish to approve the Resolution providing for the transfer of funds. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. 04-19 is attached to these minutes.)

Without objection from Council, Supervisor Rozier stated there was a third Resolution that had been approved at the meeting of the Committee on Water and Sanitation, but not included on this night's agenda.

**“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS APPROPRIATED IN THE 2003-2004 BUDGET FOR BERKELEY COUNTY WATER AND SANITATION AUTHORITY FOR AUTHORITY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”**

It was moved by Council Member Steve Davis and seconded by Council Member Mims to approve a Resolution providing for the transfer of funds. The motion was passed by unanimous voice vote of Council. (A copy of Resolution No. 04-20 is attached to these minutes.)

#### **PROCLAMATIONS:**

**“PROCLAMATION PROCLAIMING THE FOURTH MONDAY IN SEPTEMBER, 2004, AS FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN.”**

It was moved by Council Member Crosby and seconded by Council Member Steve Davis to approve the Proclamation for Family Day. The motion was passed by unanimous voice vote of Council.

**“PROCLAMATION declaring the week of June 20-27, 2004, as Amateur Radio Week.”**

It was moved by Council Member Steve Davis and seconded by Council Member Spooner to approve the Proclamation for Amateur Radio Week. The motion was passed by unanimous voice vote of Council.

#### **REPORTS FROM STANDING COMMITTEES:**

##### **COMMITTEE ON FINANCE, Mr. Dennis L. Fish, Chairman**

Chairman Fish reported the Committee on Finance met earlier tonight.

On recommendation of the Committee, Chairman Fish moved to approve using the balance of the 2003-2004 lease proceeds for the purchase of computer equipment for several County departments. (No Second Required)

The motion was passed by unanimous voice vote of Council. (That concluded Chairman Fish's report.)

**COMMITTEE ON LAND USE, Mr. Milton Farley, Chairman**

Acting Chairman Spooner reported the Committee on Land Use met on June 14<sup>th</sup>. Many of the matters before the Committee were addressed on tonight's agenda.

The matter of the request by Charles Middleton was withdrawn by the applicant. No further action is required at this time. (That concluded Acting Chairman Spooner's report.)

**COMMITTEE ON PUBLIC WORKS AND PURCHASING, Mr. Caldwell Pinckney, Jr., Chairman**

Chairman Pinckney reported the Committee on Public Works and Purchasing met on June 14<sup>th</sup>.

Chairman Pinckney stated the recommendation for the sole source purchase for the Berkeley County Library would be addressed during the Committee on Community Services report.

On recommendation of the Committee, Chairman Pinckney moved to approve the sole source use of Taylor-Made Ambulance Company to remount existing Taylor-Made ambulance boxes in fiscal year 2003-2004 and fiscal year 2004-2005. (No Second Required)

The motion was passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Pinckney moved to award the contract for security services for the main building at 223 North Live Oak Drive, along with the Public Works area, to Security Forces, Inc., in the amount of \$64,295.20 annually, with an option for four additional terms. (No Second Required)

The motion was passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Pinckney moved to reject all bids for the tree-clearing project at the Berkeley County Airport. (No Second Required)

The motion was passed by unanimous voice vote of Council.

Mr. Marc Hehn addressed Council and stated the County proposed to build the Okatee Trunk through the Herrin Site, and the owner of the property agreed to 13.51

acres. The soil report reflects more fill is needed, and Mr. Hehn recommended two additional acres be secured from the property owner.

It was moved by Council Member Pinckney and seconded by Council Member Crosby to approve the due diligence report on the Herrin Site as presented by Mr. Hehn. The motion was passed by unanimous voice vote of Council.

Mr. Hehn recommended the low bidder of R.H. Moore, in the amount of \$803,265 for project work on the Okatee Trunk.

It was moved by Council Member Pinckney and seconded by Council Member Steve Davis to approve the low bidder of R.H. Moore in the amount of \$803,265. The motion was passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Pinckney moved to award the contract for the SC 402 Bridge Relocation Project to Infratech Corporation, in the amount of \$71,400. (No Second Required)

The motion was passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Pinckney moved to declare the following equipment as surplus to the Authority's needs and dispose of: #201 – 1996 Excavator 330, #204 – 1996 Compactor 826G, #218 – 1996 6x6 off-road Truck, #276 – 1992 615 Scraper, #281 – 1993 Front End Loader IT18, #287 – 1994 Dozier D7, and #288 – 1994 Compactor 826C. (No Second Required)

The motion was passed by unanimous voice vote of Council.

Mr. Hehn stated the BCWSA funded four mechanics at the Landfill. Currently, only two of those positions are filled, because there is a problem finding certified mechanics. Mr. Hehn recommended that the County contract with Blanchard for a maintenance agreement on equipment. This arrangement would save \$4,000 per year. Maintenance work would be performed at night and on weekends, and this would be an additional benefit, because machinery would be kept up and running during the daytime. With contracting Blanchard, the third and fourth maintenance positions would not be needed.

It was moved by Council Member Pinckney and seconded by Council Member Fish to approve contracting with Blanchard for a maintenance agreement on equipment at the Berkeley County Landfill. The motion was passed by unanimous voice vote of Council. (That concluded Chairman Pinckney's report.)

**COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Mrs. Judy C. Mims,  
Chairman**

Chairman Mims reported the Committee on Justice and Public Safety met on June 14<sup>th</sup>. All matters before the Committee were addressed on tonight's agenda. (That concluded Chairman Mims' report.)

**COMMITTEE ON WATER AND SANITATION, Mr. Steve C. Davis, Chairman**

Chairman Steve Davis reported the Committee on Water and Sanitation met on June 14<sup>th</sup>. Several of the matters before the Committee were addressed on tonight's agenda.

On recommendation of the Committee, Chairman Steve Davis moved to purchase the remaining Friedberg-Moncrief capacity in the sewer system on Liberty Hall Road. (No Second Required)

The motion was passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Steve Davis moved to transfer \$130,000 from BCWSA's contingency for repair work to the tub grinder at the Berkeley County Landfill. (No Second Required)

The motion was passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Steve Davis moved to approve an amendment to the Solid Waste Management Plan, regarding DHEC's procedure for determining consistency. (No Second Required)

The motion was passed by unanimous voice vote of Council.

On recommendation of the Committee, Chairman Steve Davis moved to approve the settlement agreement with the South Carolina Department of Health and Environmental Control. (No Second Required)

The motion was passed by unanimous voice vote of Council.

Chairman Steve Davis stated that Mr. David Jennings provided the Committee with information in regard to amendments to the Solid Waste Regulations. No action was required. (That concluded Chairman Steve Davis' report.)

**COMMITTEE ON PLANNING AND DEVELOPMENT, Mr. Charles E. Davis, Chairman**

Chairman Charles Davis reported that the Committee on Planning and Development met on June 14<sup>th</sup>. Bill No. 04-42, the amendment to the Comprehensive

Land Use Plan, will be held in Committee until such time as the Ad Hoc Committee completes its work. (That concluded Chairman Charles Davis' report.)

**COMMITTEE ON COMMUNITY SERVICES, Mrs. Judith K. Spooner, Chairman**

Chairman Spooner reported the Committee on Community Services met on June 14<sup>th</sup>.

On recommendation of the Committee, Chairman Spooner moved to approve the purchase of two replacement servers for the Library's automation system; and approve this purchase as a sole source from Dynix, the original vendor for the automation system. (No Second Required)

The motion was passed by unanimous voice vote of Council. (That concluded Chairman Spooner's report.)

**COMMITTEE ON HUMAN SERVICES, Mr. William E. Crosby, Chairman**

Chairman Crosby reported the Committee on Human Services met on June 14<sup>th</sup>. All matters before the Committee were addressed on tonight's agenda. (That concluded Chairman Crosby's report.)

**NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

Council Member Crosby nominated the re-appointment of Mr. LeRay E. Dennis to the Tax Assessment Review Board.

Council Member Charles Davis nominated the re-appointments of Ms. Ann Birch, Mr. Donald L. Harbert and Mr. Gary Hogston to the Sangaree Special Tax District Advisory Commission.

Council Member Steve Davis asked if it was proper to re-appoint Ms. Bernice Friendly to the Berkeley County Library Board.

Ms. Colleen Carney, Library Director, responded that the Library By-Laws, as approved by the Berkeley County Library Board, state that if any board member's position is declared vacant due to lack of attendance, that board member cannot serve for the next two terms.

Chairman Rozier asked what the attendance record was for Ms. Friendly.

Ms. Carney responded that last year, there were a number of meetings cancelled due to lack of a quorum. There were eight meetings last year, and Ms. Friendly attended one meeting.

Chairman Rozier asked if other individuals were not being re-appointed because of this same problem.

Ms. Carney responded no. The other issues with a quorum were resignation due to serious illness and family illnesses. For every meeting, a packet is sent out in the mail stating the date, time and location of the board meeting. Board members are asked to RSVP, so it will be known ahead of time if there is not a quorum. Thereafter, the meeting is cancelled, and the other board members are contacted. Ms. Friendly RSVP'd one time indicating knee surgery.

Chairman Rozier recommended that the County Attorney take this under advisement and provide legal clarification in this matter.

Council Member Steve Davis thanked Chairman Rozier and stated he would then have the opportunity to have County Council's minutes to share with Ms. Friendly.

Council Member Spooner recommended the re-appointment of Mr. W. Daniel Moon to the Santee Cooper Counties Promotion Commission.

Nominations to the Tax Assessment Review Board, Sangaree Special Tax District Advisory Commission and Santee Cooper Counties Promotion Commission passed by unanimous voice vote of Council.

#### **CORRESPONDENCE – None**

#### **UNFINISHED BUSINESS**

Chairman Rozier stated a formal protest would now be heard from Mr. Milton Clemons, Budget Janitorial Services, regarding Bid #45502-02-03/04 (Cleaning Berkeley County Library – Goose Creek).

Mr. Milton was not present to speak.

#### **NEW BUSINESS**

Chairman Rozier stated he approved an emergency purchase for asbestos work at the Hanahan Library during the time of carpet replacement. The construction services for this work totaled \$6,600. The carpet project was halted, and the library was closed until all asbestos work was completed.



Chairman Rozier continued by stating there were write-ups in the newspaper recently, wherein, it was said that Berkeley County Council has to vote on a budget the first time it is seen. That is "preposterous". Council received the budget five weeks ago, and there have been several opportunities to ask questions, and those questions were answered. County Council had First Reading, Second Reading, a Public Hearing this night, along with a Third Reading. This was an attack against all Council Members. There is not a Member of Council willing to vote on a budget the first time it is seen. This has never been done.

### **ANNOUNCEMENTS**

The July, 2004, Regular Meeting of Berkeley County Council will be held on Monday, July 26, 2004, immediately following Public Hearings and the meeting of the Committee on Finance at 6:00 p.m., in the Assembly Room, 223 North Live Oak Drive, Moncks Corner, SC.

### **ADJOURNMENT**

It was moved by Council Member Fish and seconded by Council Member Spooner to adjourn the Regular Meeting of County Council. The motion was passed by unanimous voice vote of Council.

Meeting adjourned at 8:09 p.m.

### **PUBLIC DISCUSSION**

Ms. Mary Carson, residing at 1009 Charity Church Road, Huger, SC, stated she was not speaking in opposition of Bill No. 04-48, An ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Rutha L. Kinlock, 1025 Charity Church Road, Huger, TMS #248-00-02-004, (1 lot), from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District. This location is Ms. Kinlock's father's house, and Ms. Kinlock plans to open a daycare center for 12 children.

Ms. Carson continued by stating she was not opposed to a daycare center either, as she herself had operated one for 10 years. At that time, there were no zoning requirements in this area. Ms. Carson was one of the individuals instrumental in getting zoning in the Huger area. She understood that commercial areas were necessary, but on Charity Church Road, it is residential and too congested. Ms. Carson's concern is that if the center does not do well, and Ms. Kinlock sells her father's house, a club could be opened right next door to her home. There was a club located across the street from Ms. Carson's home at one time, and she almost moved back to Philadelphia where she is originally from. Ms. Carson asked Council if there was some way Ms. Kinlock could open the daycare center without rezoning the property to commercial.

Chairman Rozier stated Mr. Steve Davis showed interest in pursuing the idea of a contract where Ms. Kinlock would agree to open the daycare center only, and if it ever ceased to become a daycare center, the property would revert back to its original zoning.

Council Member Steve Davis stated he would commit to this pursuit.

Ms. Carson thanked Council.

Public Discussion concluded at 8:23 p.m.

July 26, 2004  
Date Approved

S/Barbara B. Austin  
Clerk of County Council

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on **Monday June 21, 2004**, is scheduled to begin immediately following Public Hearings, and the meeting of the Committee on Finance at **6:00 P.M.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 223 NORTH LIVE OAK DRIVE, MONCK'S CORNER, S. C.**

**CALL TO ORDER**

**APPROVAL OF MINUTES:**

**Public Hearings: Bills Numbered: 04-12, 04-13, 04-14, 04-15, 04-16, May 17, 2004**  
**04-17, 04-18, 04-19, 04-20, 04-21, 04-22, 04-23, and 04-24**  
**Regular Council Meeting May 17, 2004**

**PUBLIC DISCUSSION** - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

**CHAIRMAN OF COUNTY COUNCIL**

**TRIDENT WORK FORCE INVESTMENT BOARD, RE: UPDATE**

**THIRD READING:**

**1. Bill No. 04-25**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Berkeley Properties, LLC**, 130 Oakley Road, Moncks Corner, TMS# 180-00-01-048, (.964 acres), **from R-2, Manufactured Residential District, to GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

**2. Bill No. 04-26**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **John Jackson**, 107 Outbacks Lane, Moncks Corner, TMS# 161-15-00-036, (1 lot), **from GC, General Commercial District, to F-1, Agricultural District**. Council District No. 6.

[Recommended by Committee on Land Use]

3. **Bill No. 04-27**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **David Driggers**, Highway 17-A, Moncks Corner, TMS# 180-00-03-062, (3.45 acres), **from R-2 Manufactured Residential District, to GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

4. **Bill No. 04-28**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Raymond Lodge** for Hensley and Brown Properties, LLC, 2071 S. Live Oak Drive, Moncks Corner, TMS# 180-00-03-061, (2 acres), **from R-2 Manufactured Residential District, to GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

5. **Bill No. 04-29**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Greg Hood**, Bethera Road, Moncks Corner, TMS# 087-00-04-023, (2.96 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

6. **Bill No. 04-30**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, R: **David Rogers**, 1305 N. Highway 52, Moncks Corner, TMS# 123-00-03-054, (.73 acre portion of 8.98 acres total), **from GC, General Commercial District, and F-1, Agricultural District, to GC, General Commercial District**. Council District No. 8.

[Recommended by Committee on Land Use]

7. **Bill No. 04-31**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Request by Suzie Brill**, 1749 S. Live Oak Drive, Moncks Corner, TMS# 180-00-01-004, (3.88 acres), **from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District, (.76 acre portion), and F-1, Agricultural District, (3.12 acre portion)**. Council District No. 6.

[Recommended by Committee on Land Use]

8. **Bill No. 04-32**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Ligure Ellington, Jr.**, Cainhoy Road, Huger, TMS# 239-00-00-052, (3.38 acres), **from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District**. Council District No. 8.

[Recommended by Committee on Land Use]

9. **Bill No. 04-33**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Barbara Starks**, 2914 N. Highway 52, Bonneau, TMS# 057-00-01-056, (1 acre portion, 12.37 acres total), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District**. Council District No. 8.

[Recommended by Committee on Land Use]

**10. Bill No. 04-34**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Frank Kinlaw**, 2563 Clements Ferry Road, Wando, TMS# 271-00-02-035, (10.01 acres portion of 21.5 acres total), **from R-2, Manufactured Residential District, to GC, General Commercial District**. Council District No. 8.

[Recommended by Committee on Land Use]

**11. Bill No. 04-35** An ordinance providing for the adoption of fiscal year 2004-2005 (beginning July 1, 2004 and ending June 30, 2005) budgets for the **Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund**; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by the Berkeley County Water and Sanitation Authority.

[Recommended by Committee on Water and Sanitation]

**12. Bill No. 04-36**, An ordinance providing appropriations for the fiscal year beginning **July 1, 2004, and ending June 30, 2005**, for **Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming into the county for the fiscal year.

[Recommended by Committee on Finance]

**13. Bill No. 04-37**, An ordinance providing for the fiscal year beginning **July 1, 2004, and ending June 30, 2005**, for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax district during the fiscal year.

[Recommended by Committee on Finance]

**14. Bill No. 04-38**, An ordinance providing for the fiscal year beginning **July 1, 2004, and ending June 30, 2005**, for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

**15. Bill No. 04-39**, An ordinance providing for the fiscal year beginning **July 1, 2004, and ending June 30, 2005**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

**16. Bill No. 04-40**, An **ordinance** providing for the fiscal year beginning **July 1, 2004, and ending June 30, 2005**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

**17. Bill No. 04-41**, An **ordinance** providing for the fiscal year beginning **July 1, 2004, and ending June 30, 2005**, for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

[Recommended by Committee on Finance]

*Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.*

#### **SECOND READING:**

**1. Bill No. 04-43**, An **ordinance** to establish the rules and regulations for the keeping of pets and other animals in Berkeley County, to provide for the taking up and impounding of pets and other animals in certain cases; to provide for the enforcement of the provisions of this ordinance and penalties for the violations thereof; and to **amend Ordinance No. 93-11-26 and Ordinance No. 98-3-21**.

[Recommended by Committee on Human Services]

**2. Bill No. 04-44**, An **ordinance** authorizing the **sale** of a particular piece of land owned by Berkeley County, more particularly described as TMS #142-07-06-026, to the **Berkeley County Rescue Squad** and authorizing the Berkeley County Supervisory to execute any and all documents necessary to effectuate the transfer of said land.

[Recommended by Committee on Land Use]

**3. Bill No. 04-45**, an **ordinance** adopting and enacting a new Code for the **Code of Berkeley County**, South Carolina, providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective; and other matters related thereto.

[Recommended by Committee on Finance]

#### **FIRST READING:**

**1. Bill No. 04-46**, An **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Anna Bell Frazier**, 3955

Highway 45, Cross, TMS# 032-00-03-007, (1 lot), **from GC, General Commercial District, to F-1 Agricultural District.** Council District 7.  
[Recommended by Committee on Land Use)

2. **Bill No. 04-47, An ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Marvetta Perry-Grant** for Elaine Myers, 226 Liberty Hall Road, Goose Creek, TMS# 244-05-01-022, (1.35-acre portion, 2.7 acres total), **from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District.** Council District No. 3.  
[Recommended by Committee on Land Use)

3. **Bill No. 04-48, An ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Rutha L. Kinlock**, 1025 Charity Church Road, Huger, TMS# 248-00-02-004, (1 lot), **from R-2, Manufactured Residential District, to RNC, Rural and Neighborhood Commercial District.** Council District No. 8.  
[Recommended by Committee on Land Use)

4. **Bill No. 04-49, An ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Peter Washington**, 812 Oceanview Court, Wando, TMS# 271-00-02-004, (1 lot), **from GC, General Commercial District, to R-1MM. Multi-Section Residential District.** Council District No. 8.  
[Recommended by Committee on Land Use)

5. **Bill No. 04-50, An ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Ebony Lloyd Simmons** for Heirs of Clara Johnson, 1658 Highway 402, Moncks Corner, TMS# 144-00-02-025, (1 acre portion, 14.5 acres total), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District No. 8.  
[Recommended by Committee on Land Use)

6. **Bill No. 04-51, An ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Tyson Otts**, 341 Myers Road, Summerville, TMS# 222-00-00-119, (5.01 acre portion 10.02 acres total), **from PDMU, Planned District Mixed Use, to R-2, Manufactured Residential District.** Council District No. 4.  
[Recommended by Committee on Land Use)

7. **Bill No. 04-52, an ordinance** authorizing a **one-year postponement** of the implementation of revised values resulting from the equalization program (**reassessment**), as provided in Section 12-43-217, Code of Laws of South Carolina 1976, as amended.  
[Recommended by Committee on Finance]

8. **Bill No. 04-53**, an **ordinance** amending Ordinance No. 87-6-9, which provided for the creation of the **Berkeley County Accommodations Tax Advisory Committee**, to modify the composition of and appointment to the Committee and to repeal Ordinance No. 02-9-44 in its entirety.

[Recommended by Committee on Finance]

**RESOLUTIONS:**

1. **RESOLUTION** providing for the Transfer of Funds in the 2003-2004 Berkeley County Budget for County Purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** approving assignment of existing **Fee-in-Lieu of Taxes** arrangements by Bayer Corporation affiliates.

[Recommended by Committee on Finance]

**PROCLAMATIONS:**

1. **PROCLAMATION** proclaiming the fourth Monday in September, 2004, as **Family Day – A day to Eat Dinner with your Children**

[Recommended by Committee on Human Services]

2. **PROCLAMATION** declaring the week of June 20-27, 2004, as **Amateur Radio Week**.

[Recommended by Committee on Justice and Public Safety]

**REPORTS FROM STANDING COMMITTEES:**

1. **Committee on Finance.**

**Councilmember, Mr. Dennis L. Fish, Chairman**

a. Approval to use balance of lease funds.

2. **Committee on Land Use.**

**Councilmember, Mr. Milton Farley, Chairman**

Recommendation to Deny:

1. **Request** by **Charles Middleton** for Goose Creek Industrial Investors, Highway 52, TMS # 224-00-01-001, (87.36 acres total) **from HI, Heavy Industrial District, to R-4, Multi Family District, Small Scale, (37.36 acres), and LI, Light Industrial District, (50.0 acres).**  
Council District No. 3.

[Applicant withdrew request – June 16, 2004]

3. **Committee on Public Works and Purchasing.**

**Councilmember, Mr. Caldwell Pinckney, Jr., Chairman**

a. Sole Source Purchase, Berkeley County Library.



- b. Sole Source Purchase, EMS Department.
- c. Security Guard Service.
- d. Tree Clearing – reject all bids.
- e. Due diligence, re: Herrin Office Site.
- f. Okatee trunk.
- g. SC 402 Bridge waterline relocation project.
- h. Lease purchase of landfill equipment.
- i. Contract for maintenance of heavy equipment at the Berkeley County Landfill.

**4. Committee on Justice and Public Safety.**  
**Councilmember, Mrs. Judy C. Mims, Chairman**

- 5. Committee on Water and Sanitation.**  
**Councilmember, Mr. Steve C. Davis, Chairman**
- a. Contingency transfer.
  - b. Solid Waste Management Plan Amendment.
  - c. Settlement agreement with SCDHEC.
  - d. Purchase of remaining Friedberg Moncrief capacity.

**6. Committee on Planning and Development.**  
**Councilmember, Mr. Charles E. Davis, Chairman**

- 7. Committee on Community Services.**  
**Councilmember, Mrs. Judith K. Spooner, Chairman**
- a. Berkeley County Library, Re: approval to purchase two replacement servers.

**8. Committee on Human Services.**  
**Councilmember, Mr. William E. Crosby, Chairman**

**NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

BERKELEY COUNTY LIBRARY BOARD  
BERKELEY COUNTY WATER AND SANITATION APPEALS BOARD  
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS  
DEVON FOREST SPECIAL TAX DISTRICT ADVISORY COMMISSION  
HOUSING BOARD OF ADJUSTMENTS AND APPEALS  
MENTAL HEALTH BOARD  
SANTÉE COOPER COUNTIES PROMOTION COMMISSION  
SANGAREE SPECIAL TAX DISTRICT  
SPIERS LANDING COMMISSION  
TALL PINES SPECIAL TAX DISTRICT  
TAX ASSESSMENT REVIEW BOARD

**CORRESPONDENCE**

**UNFINISHED BUSINESS**

**Formal Protest:** Re: Bid #45502-02-03/04 (Cleaning Berkeley County Library – Goose Creek) Budget Janitorial Services/Milton Clemons

**NEW BUSINESS**

**ANNOUNCEMENTS**

**The July 2004, Regular Meeting of Berkeley County Council will be held on MONDAY July 19, 2004, IMMEDIATELY FOLLOWING PUBLIC HEARINGS, AND THE MEETING OF THE COMMITTEE ON FINANCE AT 6:00 PM, in THE ASSEMBLY ROOM, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.**

**ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

June 16, 2004  
S/Barbara B. Austin  
Clerk of County Council